

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

EDD C. DOUGLAS,)
)
 Petitioner,)
)
 v.) No. 05-3310-CV-S-DW
)
 ROBERT McFADDEN, et al.,)
)
 Respondents.)

ORDER

Before the Court is Magistrate Judge James C. England's Report and Recommendation denying leave to proceed *in forma pauperis* and dismissing the petition for writ of habeas corpus under 28 U.S.C. § 2241 without prejudice (Doc. 4). Petitioner filed objections to the Report and Recommendation (Doc. 5). After an independent review of the record, the applicable law and Petitioner's objections, the Court adopts the Magistrate's Report and Recommendation. Accordingly, the Court orders that the Magistrate's Report and Recommendation be attached to and made part of this Order and hereby DENIES Petitioner's request for leave to proceed *in forma pauperis* and further dismisses the petition for habeas relief without prejudice. This case is terminated.

IT IS SO ORDERED.

/s/ DEAN WHIPPLE
Dean Whipple
United States District Court

Date: September 28, 2005